

TONY - IF
4CFR 105.6 IS
STILL THE LAW
WHAT CHOICE DO
WE HAVE.

ALSO HOW ABOUT
STAT. LIM. ?

6/23

NOTE ATTACHED TO LETTER DATED 6/23

6/23

JDM

Does this qualify for a write-off?
 Seems we can't find [redacted]. Perhaps STATINTL
 O/F should contact GAO & find out
 what is done in these cases.
 It seems to me ^{DOJ} ~~GAO~~ has some
 rule w/regard to no litigation for under
 \$500*, but I'm not positive as to the
 amount.

Terry

STATINTL

* [redacted]
 Agencies will not refer claims of
 less than \$400, exclusive of interest, to
 litigation unless referral is
 important to a significant enforcement
 policy or debtor ^{has} not only clear ability to
 pay but Govt can effectively enforce
 payment.

Should I write O/F [redacted] a
 note to this regard stating no
 legal objection to write off?



Memorandum For: Director of Finance
 Subject: Uncollectible Indebtedness -
 [REDACTED] \$ 385.00

STATINTL

The Chief, Certification and Liaison Division by a memorandum dated 29 November 1973 requested this Office to take appropriate ~~legal~~ steps to collect STATINTL the amount of \$385.00 from [REDACTED].

STATINTL

[REDACTED], a former contract employee, was returned from a [REDACTED] assignment STATINTL in July 1968 ~~short-of-term~~, for the convenience of the Agency for termination. He was overpaid \$410.00 in travel ~~expenses; however, this error~~ ~~reimburses Repeated effort,~~ ~~by~~ your office was not uncovered until October 1969. Repeated efforts by your office to collect this indebtedness to the Agency succeeded in collecting \$25.00 in February 1971.

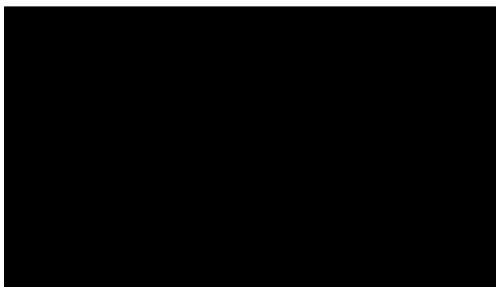
~~by this office to~~ ~~the [REDACTED]~~ ~~to~~ ~~letter~~ ~~sent~~ ~~at his last known address~~ ~~on~~ ~~[REDACTED]~~ ~~on 19 December 1973. It~~ was returned marked "Moved, not forwardable."

STATINTL

CENTRAL INTELLIGENCE AGENCY
WASHINGTON, D.C. 20505

STATINTL

19 December 1973



This Agency has contacted you on numerous occasions in an effort to collect \$385.00, balance due from you as a result of an erroneous travel overpayment in connection with your termination in 1968. Despite your repeated promises of repayment, your account has not yet been cleared.

It is requested that you forward payment to this Office immediately.

Sincerely,



STATINTL

Assistant General Counsel

Not
This letter returned -- Moved, *for* forwardable.

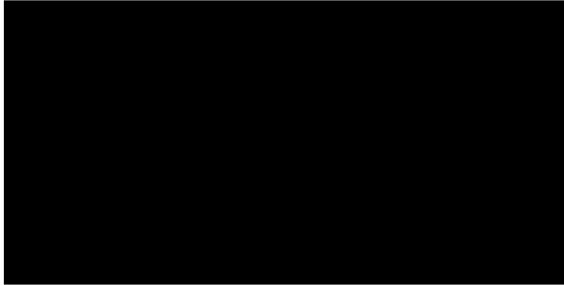
CENTRAL INTELLIGENCE AGENCY

Approved For Release 2002/01/02 : CIA-RDP75-00793R000100200004-3

OGC 73-2336

19 December 1973

STATINTL



This Agency has contacted you on numerous occasions in an effort to collect \$385.00, balance due from you as a result of an erroneous travel overpayment in connection with your termination in 1968. Despite your repeated promises of repayment, your account has not yet been cleared.

It is requested that you forward payment to this Office immediately.

Sincerely,



STATINTL

Assistant General Counsel

cc: Chief, C&L Division w/background file

JGB:ks

Distribution:

Original / Addressee

✓ - ACCOUNTING w/incoming memo, OGC 73-2226

1 - JGB Signer

1 - Chrono

Approved For Release 2002/01/02 : CIA-RDP75-00793R000100200004-3

~~SECRET~~

Approved For Release 2002/01/02 : CIA-RDP75-00793R000100200004-3

OGC 73-2226

29 NOV 1973

MEMORANDUM FOR: Office of General Counsel

FROM : Chief, Certification and Liaison Division
Office of Finance

SUBJECT : Uncollectible Indebtedness - [REDACTED] 25X1A
\$385.00

1. This is a request for your Office to take appropriate legal steps to collect from [REDACTED] the amount of \$385.00 pertaining to his indebtedness to the Agency. [REDACTED] a former contract employee, was overpaid \$410.00 in travel expense and has refunded only \$25.00 after repeated requests by this Division.

25X1A
25X1A

2. The particulars describing the overpayment pertain to [REDACTED] short-of-tour, at the convenience of the Agency, for termination. His travel order authorized his travel [REDACTED]

25X1A

[REDACTED] He traveled during 4 July to 9 September 1968 as authorized, without dependents, and submitted his travel claim which was processed and settled at Headquarters. His dependents were authorized travel from [REDACTED] they did not leave [REDACTED] until October 1968 and then traveled to [REDACTED] Apparently, [REDACTED] after termination and at his own expense, rejoined his family in [REDACTED] and accompanied them to [REDACTED] The dependents had been provided a \$1,737 travel advance from [REDACTED] with the request that upon completion of travel they forward to Headquarters, itinerary, used ticket stubs and any other travel costs or pertinent travel data in order that an accounting could be prepared to offset the advance and permit financial settlement.

25X1A
25X1A
25X1A
25X1A
25X1A

3. The travel data was forwarded to Headquarters and the necessary constructive cost travel voucher was prepared to cover travel [REDACTED] Unfortunately, through error, the constructive travel voucher prepared included computation for [REDACTED] travel

25X1A

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~~SECRET~~

E.O. 13526 IMPDET CL BY 05/18/08

SECRET

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SUBJECT: Uncollectible Indebtedness -
\$385.00 [REDACTED]

25X1A

[REDACTED] The voucher was settled and thus resulted in a duplicate payment to [REDACTED] in the amount of \$410.00. Once the error came to our attention, in October 1969, we wrote [REDACTED] explaining in detail the cause of overpayment and requested he refund \$410.00. In February 1971 a \$25.00 check was received from [REDACTED] and credited to his indebtedness, leaving a balance of \$385.00 which is still outstanding.

4. Repeated mail and telephone appeals to [REDACTED] have been unsuccessful in our attempts to make collection. In April 1972 [REDACTED] was advised his case would be turned over to the General Accounting Office or the Department of Justice for legal action if the indebtedness was not settled shortly. There has been no further contact with or from Subject.

25X1A

5. Both the East Asia Division and the Office of Security have given their approval to permit transfer of collection action outside this Agency.

6. Enclosed in attached envelope, for your information, are the pertinent extracts from our files in support of this case. If we can be of any further help to you, please contact us.

25X1A

[REDACTED]
Chief,
Certification and Liaison Division

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SECRET

GEORGE —
TAKE A LOOK
AT IT AND I'LL
HELP YOU WITH THE
CONTACTS.

STATINTL

STATINTL
STATINTL

STATINTL

[REDACTED] — [REDACTED]
[REDACTED] — [REDACTED] 2/5
SPEECHES
T. → collected!
→ work forward
DMC + ~~EA~~ EA Division

25X1A
MEMORANDUM FOR: WJA

Bill:

Please take on this matter which Tony has dumped on us. I have looked at it only quickly, but it appears to be something [REDACTED] was handling when he left. If you could do the necessary phone calls and checks within the Agency to see where the matter stands, I think we could ask one of the new lawyers due in later this month to proceed with the legal work. The point is that a new man would have difficulty learning the names of components and responsibilities.

25X1A

Date 14 January 1976

FORM 101 USE PREVIOUS
5-75 EDITIONS

STATINTL
JIM

Under our new DOJ record rules,
I presume [REDACTED] STATINTL comment
of 11 May 1973, with regard to [REDACTED]
better left in oblivion," is no longer persuasive.
I did not find [REDACTED] STATINTL name listed
among D.C. lawyers in the yellow pages.
Perhaps I should contact a cleared
attorney at [REDACTED] + find out what happened to
him and send him (if we can locate him)
a follow-up letter. Thereafter, I presume
it goes to DOJ or GAO.

STATINTL

Tony

TONY—

Is this a 28 USC § 535 case
(info on possible criminal violation)
or merely a bad debt case?

6/23

Not a criminal violation — sorry
question is whether we (can we do so)
write off [REDACTED] or whether we
have to go to GAO or DOJ.

25X1A

The Federal Claims Collection Act of 1866 (31 U.S.C. 951-953) places the responsibility in an agency for collecting a debt determined by the agency to be due the United States which arises as a result of the agency's activities. This includes the authority to compromise, terminate or suspend collection action. (Section 54.1, Chapter 8, Title 4 CFR dtd 9/1/67.) An agency's debt collection program must be comprehensive, vigorous and uniformly applied in principle and consistent with the circumstances of the case, should provide for timely, forceful and persistent action to collect ~~for~~ on the debt. Debt collection procedures should provide for timely and aggressive demands (with an adequate description of the debt), efforts to locate the debtor, set-off (when appropriate) of amounts due indebted contractors under the agency's contracts (or under contracts with other agencies), set-off with ^{particular} reference to 5 USC 5573 and 5574, and requests to other agencies for cooperation in collecting debt from persons in their employ. (Sections 55.1 and 55.2) Collection procedures should ^{establish and observe} promote ~~for~~ realistic points of diminishing returns beyond which further collection efforts are not justified (Section 55.3.)

Debts on which collection action has been taken in accordance with 4 CFR 102 and which cannot be suspended or terminated